

JUDGE HOLWELL

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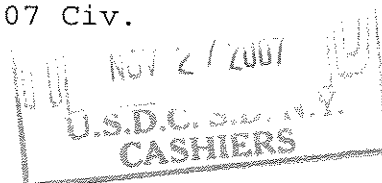
07 CV 10630

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,
:
- v -
:
ONE 2004 GRAY GMC ENVOY,
:
Defendant-in-rem.
:
-----X

VERIFIED COMPLAINT

07 Civ.



Plaintiff United States of America, by its attorney,
Michael J. Garcia, United States Attorney for the Southern
District of New York, for its complaint alleges as follows:

I. NATURE OF THE ACTION

1. This action is brought pursuant to 21 U.S.C. § 881
by the United States of America seeking the forfeiture of One
2004 Gray GMC Envoy with Vehicle Identification Number
1GKDT13S842431891, Virginia license plate number JYY2299 ("the
defendant vehicle"). The action arises from the use of the
defendant vehicle in the transportation, receipt, and possession
of narcotics, the intended proceeds of which were discovered
during a consensual search of the defendant vehicle on June 15,
2007.

II. JURISDICTION AND VENUE

2. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1345 and 1355. Venue is proper under 28 U.S.C. §§ 1355(a) and 1395 because the acts and omissions giving rise to the forfeiture occurred in the Southern District of New York, the action accrued in the Southern District of New York and the defendant vehicle was found and seized within the Southern District of New York.

3. The defendant vehicle is presently in the custody of the United States Marshals Service ("USMS") in the Defense Support Services, LLC, storage facility at 40A Cotters Lane, East Brunswick, New Jersey, 08816.

III. PROBABLE CAUSE FOR FORFEITURE

4. On or about June 15, 2007, New York Drug Enforcement Task Force ("NYDETF") Group T-23 Task Force Officer Detective Politoski received information from a confidential source ("CS") about a possible narcotics transaction involving multiple kilograms of cocaine in the Washington Heights neighborhood of Manhattan. Based on information provided by the confidential source, Detective Politoski conducted a stop of a 2004 GMC Envoy bearing Virginia license plate JYY2299. The 2004 GMC Envoy was later determined to be registered to Vince Lamont Staples, of Hampton, Virginia. The driver of the vehicle was Pedro Pabon.

5. Pabon gave Detective Politoski verbal consent to search the vehicle. Pursuant to Task Force procedures, the 2004 GMC Envoy was transported to the 30th Precinct, where a search of the vehicle resulted in the discovery of a hidden compartment under the back seat of the vehicle. During the search of the car, a New York State Trooper assigned to the NYDETF, Investigator Torres, removed from the hidden compartment \$49,000 in United States Currency.

6. Pabon made a verbal statement to Detective Politoski and NYPD Sergeant Nappi while at the 30th precinct, stating that the GMC Envoy was not his car and he did not know anything about the hidden compartment or the money. The 2004 GMC Envoy, with Vehicle Identification Number 1GKDT13S842431891, and the \$49,000 in United States Currency, were seized, and Pabon was arrested on narcotics charges.

IV. CLAIM FOR FORFEITURE

7. Incorporated herein are the allegations contained in paragraphs one through six of the Complaint.

8. Pursuant to 21 U.S.C. § 881 (a)(4), vehicles which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of, controlled substances which have been manufactured, distributed, dispensed, or acquired in violation of Title 21 of the United States Code, are subject to seizure and

forfeiture to the United States, and no property right exists in such property.

9. The defendant vehicle was used and was intended for use to transport and to facilitate the transportation, sale, receipt, possession, and concealment of cocaine.

10. By reason of the foregoing, the defendant vehicle became and is subject to forfeiture to the United States of America, pursuant to 21 U.S.C. § 881.

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the defendant vehicle and that all persons having an interest in the defendant vehicle be cited to appear and show cause why the forfeiture should not be decreed; and that this Court decree forfeiture of the defendant vehicle to the United States of America for disposition according to law; and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York
November 27, 2007

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Southern District of New York
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United States of America

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